

Quid Novi

VOL. VI NO. 2

McGILL UNIVERSITY FACULTY OF LAW
FACULTE DE DROIT UNIVERSITE MCGILL

September 11, 1985
11 septembre, 1985

THE SPECIAL SUPPLEMENTAL

An Interview With Dean Macdonald & Richard Janda

by Debbie Raicek

In the 1984/85 academic year 13 graduating students failed courses which they later passed on special supplemental examinations set before convocation. Those of the 13 students who failed a course in the second semester all passed in special "supps" which some took less than a week later.

In light of some controversy surrounding the merits of this system, Dean Macdonald and past L.S.A. President Richard Janda had the following comments.

Dean Macdonald

Quid Novi: Do you feel that the supplemental examination process was meaningful in light of the fact that everyone passed a few days later?

Dean Macdonald: I think that the opportunity for a student who has failed an exam to rewrite the exam is preferable to repeating the course. In the case of a student who is in his/her graduating year, I think that, if at all possible, the faculty should attempt to find a way to permit the student to do that reprise

in a way that would not prejudice the student's chances for employment or his opportunity to graduate with his fellows. The fact that there were 13 graduating students in this situation is only a partial reflection of a wider picture. First, two out of the 13 students were taking the supplementals because they had deferred for health or personal reasons at the scheduled examination time. Second, it is necessary to keep in mind that there were, in fact,

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THAMI MNYELE: A MEMORIAL TO A FRIEND

by Andrew Orkin

Thami Mnyeale died this summer under a hail of automatic rifle fire at his home in Gaborone, Botswana. He was my friend. His wife has disappeared and is feared kidnapped.

The letter I am holding is from my family in South Africa. Enclosed is a clipping from the Manchester Guardian about a raid by South African security forces into Botswana. It names "Mr Thami Mnyeale, an artist of repute." The note with the clipping simply says. "Thami met his

fate in Gaborone. He was a fine artist and a very fine person."

The chief of the South African Defence force described the operation as a "pre-emptive strike against African National Congress bases and fighters." Groups of South African soldiers had stood smoking and chatting on Gaborone street-corners while others attacked ten or so homes in Gaborone. Thami Mnyeale and fifteen other South Africans were killed, including, it was reported, a five-year-old child.

I first met Thami Mnyeale in Johannesburg in January 1972. He'd just come to the city from the hills of Zululand, I from Cape Town, where one can sit on the rocks at the southernmost tip of the African continent and imagine in a line where the Indian Ocean meets the Atlantic. We'd both just joined the staff of a black educational trust. South Africa's official Bantu Education was already being abandoned by black students in droves, and the project was working at providing an alternative.

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ANNOUNCEMENTS

First and Second Year Students Election of Your Class President

September 25, 1985

Call for Nominations

Nominations are hereby called for the positions of Class President BCL I, Class President LLB I, Class President BCL II and Class President LLB II.

Nomination Procedures. All nominations must contain the words "We, the undersigned, nominate _____, for the position of _____, for the 1985-86 year."

All nominations must be signed by at least 10 students eligible to vote. Each student is eligible to nominate only the candidate of his or her choice who is in his or her own year and program.

Deadline for Nominations. Nominations must be submitted to the LSA Chief Returning Officer, care of the Student Affairs Office, by Wednesday, September 18, at 5:00 p.m.

In the event that a position is acclaimed at that time, nominations for that position will remain open until Thursday, September 19, at 5:00 p.m., at which time if there remains only one candidate for the position, that person will be declared elected.

Campaign Rules. The attention of candidates is drawn to the rules governing LSA elections, posted on the LSA bulletin board (#6) opposite the cafeteria entrance in the basement of Old Chancellor Day Hall.

Orientation Guest Speaker

Dr. M. Milde, Director of the Legal Bureau, ICAO

The Orientation Committee is extremely pleased that Dr. Milde, of the International Civil Aviation Organization, accepted their invitation to speak to the faculty.

Educated in Europe and Canada, Dr. Milde holds three doctorates in the fields of Public International Law, Comparative Law and Conflicts of Law, and the Law of International Commerce.

This is a speech which although directed at the general topic of law and legal education, will undoubtedly reflect Dr. Milde's own participation in the day to day working of an international organization.

We encourage all members of the Faculty to attend.

Place. Moot Court
Date. Thursday, September 12, 1985
Time. 4:00 p.m.

Campaigning will begin on Thursday, September 19, and must cease at 5:00 p.m. on Tuesday, September 24. Balloting will be held on Wednesday, September 25, between 9:00 a.m. and 4:00 p.m.

David Patterson
Chief Returning Officer
Law Students' Association

Nelson Eshelman
Deputy Returning Officer
Law Students' Association

Upper Year Students Course Change Week

Students wishing to add and/or drop courses should see Anne Farray at the Student Affairs Office first. If necessary, students will thereafter be referred to Mrs. Lederer and/or the Associate Dean.

Graduating Students June 1986

Please be advised that it is each graduating student's own responsibility to ensure that (a) he/she obtained sufficient credits in the Spring of 1986 to graduate, and (b) he/she has satisfied all compulsory and semi-compulsory course requirements.

Moot Court Room, Faculty of Law -- September 26:

The Montreal Section of the International Law Association is organizing a Conference on "Canadian sovereignty in the Arctic (with special reference to the North West passage) from 6:00 p.m. - 7:00 p.m. The guest will be Professor Donat Pharand from the University of Ottawa. For information call Louise at 392-4632.

The Centre for Research of Air and Space Law is organizing on October 30, 31 and November 1 a super Conference on. "An Arms Race in outer space. Could treaties prevent it?" at the Moot Court Room, Faculty of Law. You are most cordially invited at a special rate to attend this symposium and meet speakers and specialists from all over the world. For more information call Louise at 392-4632.

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ADDRESS TO ENTERING CLASS 1985

by Dean Macdonald

Fellow students of the law, on behalf of my colleagues and the administrative staff, let me welcome you to the Faculty of Law of McGill University.

Futurs avocats et avocates, permettez-moi, au nom de tous mes collègues et de tout le personnel d'administration, de vous accueillir à la Faculté de droit de l'Université McGill.

Cette faculté de droit, que vous avez choisi et qui vous a choisi, fut la première au Canada. Ses origines remontent à 1948 et elle compte, parmi ses trois mille diplômés, plusieurs éminents juristes, notamment:

--l'honorable Alexander Morris (B.C.L. 1850) - premier juge en chef de la Cour du Banc de la Reine de Manitoba, et lieutenant-gouverneur des territoires du nord-ouest,

--le très honorable Wilfrid Laurier (B.C.L. 1864) premier ministre du Canada pendant quinze ans;

--l'honorable Pierre-Basile Mignault (B.C.L. 1873) juge à la Cour suprême du Canada, auteur du traité Droit Civil Canadien, professeur de carrière à notre faculté;

--Annie Macdonald Langstaff (B.C.L. 1913) la première femme à recevoir une licence en droit au Québec,

--l'honorable Harry Batshaw (B.C.L. 1924) juge à la Cour supérieure du Québec, premier avocat juif à accéder à la magistrature supérieure,

--Frank R. Scott (B.C.L. 1927) professeur de carrière à McGill, doyen de la faculté, constitutionnaliste, poète renommé,

--Jean de Grandpré (B.C.L. 1943) homme d'affaires, président des Entreprises Bell Canada Limitée, chancelier de l'université,

--l'honorable Gerald E. LeDain (B.C.L. 1949) juge à la Cour suprême du Canada, ancien professeur de carrière à la faculté, et doyen d'Osgoode Hall Law School.

Ces éminents juristes ne sont que quelques-uns de nos diplômés distingués: on trouve également deux premiers ministres canadiens, six juges à la Cour suprême du Canada, plusieurs premiers ministres provinciales, nombreux juges aux cours d'appels et aux cours supérieures, ministres de la Couronne, diplomates, hommes d'affaires, professeurs, notaires et avocats.

I am confident that in the year 2085, when the Dean welcomes the incoming class, several of you present in this room today will figure on his list of prominent graduates of McGill's Faculty of Law. But McGill is not simply an institution which takes pride in her well-known alumni and alumnae, we believe that each of our graduates is an important member of the legal community.

Today you, the National Programme Class of 1989, contribute through your diverse backgrounds and interests to the unique character of this Faculty. Later, when you walk across

the stage at Convocation, you will join the some 3000 other graduates of the Faculty who have, in a variety of ways, made significant contributions to the law, and to the public it serves.

Let me emphasize, as you embark today upon a legal career, that each one of you will be, in our eyes, an illustrious graduate of our Faculty.

But what does it mean to be a student of the law? What is this endeavour which you have undertaken, and which we, as a faculty, share with you? In brief, what is a legal education at McGill all about?

I take it that you would all agree that the study of law is both an academic discipline and a professional training. In pursuit of this latter objective the Faculty offers two degree streams (the B.C.L. and the LL.B.) within our National Programme. Thus graduates of McGill are equipped to exercise their profession in every Canadian jurisdiction. What is more, our curriculum is designed to respond to the needs of those intending to pursue careers in the public and private business sectors, for which legal training is an asset rather than a formal prerequisite.

But it is the opportunity presented by the meeting of the two great Western legal traditions, the civil law and the common law, which gives the study of law at McGill its special character. The comparative study of institutions, principles and rules

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Lawyers for Social Responsibility

Lawyers for Social Responsibility, McGill's very own anti-nuclear group will be staging a weekend retreat at the end of September. The retreat is an attempt to combine education and fun (in disproportionate amounts) in a setting far removed from the smog of the city.

The retreat will take place on the 28th and 29th of September on Mont St. Hilaire. About 45 kilometres from Montreal, the mountain is a nature reserve bequeathed to McGill University by its one-time owner Alexander Gualt.

LSR has reserved the two available dormitories for the weekend. Accommodation is available for 32 people, and food will be provided by local staff. A film and a workshop discussion session are planned for the two days, with substantial time allowed for hiking, lazing by the campfire and generally relieving the back to school blues.

The anticipated cost to students is forty dollars, including transportation, food, and overnight accommodation. Interested students are urged to book immediately, as space is limited and going fast. For more information, contact Teresa Scassa at 484-1590.

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in each tradition is a central feature of our academic endeavours, and our longstanding tradition of teaching in both the English and French languages complements this aspect of McGill's programme.

Revue de droit de McGill Séance d'information

Les étudiants(es) de 2e année et ceux(celles) de 3e année inscrits(es) dans le programme national sont cordialement invités(es) à participer à la séance d'information de la Revue de droit de McGill et à connaître les possibilités d'adhésion à la Revue pour l'année qui vient.

Beignes et café seront servis.

AUJOURD'HUI

Le mercredi 11 septembre
Common Room à 13h00

Les demandes doivent être soumises avant vendredi le 13 septembre à 17h00.

McGill Law Journal Information Session

2nd year students and 3rd year students in the National Programme are invited to find out about the Law Journal and the opportunities for working on the Journal during the upcoming year.

Coffee and doughnuts will be served.

TODAY

Wednesday, September 11
Common Room at 1:00

Applications Due: Friday, September 13, at 5.00 p.m.

It is often said by linguists that you never really understand your own language until you have mastered another. How much more true this is of the law. Like the study of language, the study of law is a complex undertaking;

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the earlier it is undertaken, the more successfully it can be pursued. For this reason our curriculum is structured so that every student has the opportunity to study a number of private law subjects in both degree streams by the end of second year.

We take pride in our academic and professional traditions and in the contributions of our graduates to the bar, the bench and the scholarly community. Latterly, we have been especially pleased that the value of McGill's National Programme, and our approach to the study of law is appreciated across Canada and in major centres of the United States. Our graduates may be found in large metropolitan law firms, in the Supreme Court of Canada where a McGill graduate has served as a law clerk in each of the past four years, in smaller law firms in regional centres, and in the public service.

Votre éducation juridique ne cesse pas le moment que vous quittez la Faculté. Vous allez continuellement vous éduquer. Nous ne prétendons pas, en trois ou quatre ans, vous enseigner tout ce qu'il faut savoir. Nous ne pouvons que vous offrir les éléments essentiels pour un processus d'auto éducation future, et vous donner le goût de poursuivre ce processus. Dès aujourd'hui, vous deviendrez un étudiant de droit à vie, même si vous exercez la profession, devenez un fonctionnaire, ou (comme plusieurs de nos diplômés) entrez le monde d'affaires.

However you choose to employ your legal education, you will find your legal career, commencing tomorrow, frequently difficult, at times frustrating,

occasionally disappointing, but always challenging. At its outset, let me, on behalf of all my colleagues, wish you the very best.

Memorial**Cont'd from p. 1**

Thami was a graduate of a school for black artists at Rorke's Drift in Zululand. Run by Danish missionaries, the school occupied the same stone buildings that were the mission that a handful of British soldiers with rifles defended successfully against tens of thousands of Zulu warriors with spears and clubs in 1879.

Thami's figures were often painted with heads turned upward in open-mouthed anguish. I have a painting that he sent me in Canada, a landscape with a typical Highveld doringboom, a river, and an ambiguous figure sitting uneasily with his back against the thorn tree. There is a tiny bird at the top of the tree singing into the wind.

I don't know whether he tried to create the work's strained tranquility for me, but all is not well. Bubbling up from the bottom is one of the textured areas he did so well, mixing his media so that oil and water rejected one another in tiny cell-like shapes. This dark red and brown swirl seems to threaten to engulf the landscape above it.

On the day I arrived, Thami was at work in the office he and I were to share for the next few years. He was stooped over a drawing board, adding another layer of detail to an illustration. His tool was a draughting pen with the thinnest nib available. He was shading the face of a figure he'd drawn with dots a fraction of a millimeter in diameter.

My 25 years in South Africa were apartheid's heyday, the ideology's best years. While I'd been able to make contact with a few black students at university, the disparity between our separate realities made friendship all but impossible. One of the black students I'd met was Steve Biko. His philosophy of Black Consciousness was forcing whites like myself to reassess our political attitudes and roles, too.

Thami's friends were all in the Black Consciousness movement, and there'd be strained moments when one of them would visit him in our office. Thami would put his arm around me and introduce me. I never found out whether this, or his job for that matter, compromised him, but he managed both at once to be very political and very much above it all. He unspeakingly asserted an artistic licence to be so.

His fine-featured face immediately struck all those who met him. He'd a broad, high forehead, and an unbelievable smile. But that was not really it. His wide-apart eyes dominated anyone's they met. These eyes did most of the little speaking that his art did not.

One of the first things I asked him was how to pronounce the Xhosa click prescribed by the "q" in Tham-sanka, his full name. Put the tip of your tongue against the front ridge of your palate, suck to make a vacuum in the space between your palate and tongue, and then pull your tongue down. Tum-zunnn-click!-na! He laughed as I tried and tried again, and hugged me when I got it. Not many whiteys could do it, he said. I've forgotten what the name means.

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Memorial

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The project we worked for shared a downtown fifteenth floor with a firm of accountants. A young white secretary from the accountants' firm had to wait for a booth in the washroom, and found that the one being vacated had just been occupied by a black woman (with a master's in literature from the University of London, as it happened). The project was threatened with eviction. We continued to disobey the law, but elsewhere: we now trekked sixteen stories down to the black facilities in the building's basement. We had to leave the building anyway when tenants on other floors complained about our use of the elevators together.

Eating together was even more trouble than pissing together. We'd buy street-food and sit on some steps somewhere. As the organization grew, more of the staff joined us, buying and then preparing lunches on the premises, and Thami's and my innovation spawned a lunch club, and then a food buying cooperative. As far as I know, the co-op is now one of over 600 community-based groups which comprise the nation-wide United Democratic Front.

Unlike other black South African artists, Thami never became a commercial success. To hang on the walls of expensive homes in the quiet white suburbs, black art was not to reflect the turmoil of a separate reality a few miles over the hill. Depict happy street musicians and tribal scenes, by all means, apartheid gnawing at your soul, no.

He had one exhibition in a downtown Jo'burg gallery, and sold all 60 works, mostly to white liberals who bought one or two and

then no doubt stashed them away. The reward for his success was a bill from the gallery. After deductions for invitations, sherry for the opening, framing, advertising, and rent, Thami owed Mrs. Goldman a few months' salary.

He lived in Alexandra Township, at the start of the motorway from Johannesburg to Pretoria, right next to some of Johannesburg's richest areas. Thami loved "Alex", as it was called by its residents, black Johannesburg migrant labourers, domestic servants, poets, artists and musicians. He told, but never complained, of the squalor of the small ghetto, in which potholes were a foot deep and in which babies played outside in pens made of chicken wire to protect them from rats the size of cats. But more often he extolled its rich neighbourliness, its music, smells, and its buzz.

"Group Areas" arrest is a fact of life for Black South Africans. But I feared it and did not often visit black friends in Soweto or Alex. Thami visited me at my place.

He hated the white suburbs, not because of any difficulties with the police, but because of the high walls, the separateness, and the silence of the streets. He was happy to come, though, to Parktown Court, a condemned Victorian three-storey occupied by young whites like myself. He could relate, he said, to conversations being yelled from balcony to balcony across the central court, to the noise of someone practicing electric guitar or tuning a car, and to all the comings-and-goings. It had something of the sort of soul of his Alex. He never mentioned my not visiting him there.

In 1976 Soweto erupted. The white regime responded with violence to unarmed black protest. Protesting schoolkids were being gunned down by the hundreds. Many thousands of white civilian reservists like myself were being called up for military service, both within the country and for raids into neighbouring states. I was thinking of leaving the country.

Thami was in anguish for other reasons. Alex was burning. He looked at me, then out of the window towards the smoke pall. "I'd think you should leave," he said. "My people are on the march. I'd be much happier if I knew you were out of the way."

This was the last time I saw Thami. His words, more than anything else, persuaded me, and I left soon for Canada. I heard a few years later that his daughter was born within weeks of mine.

Then I heard that he'd left South Africa, just a few hours ahead of the security police, and that he was living just across the border in Gaborone. I'll visit him, I thought, when I get the chance to go to Botswana.

Thamsanqa Mnyele was a gentle, sensitive man. We'd been born within a few years and not many miles of each other, but our lives and experience could not have been more different. This was apartheid, but our developing friendship was its destruction. We spoke of the two countries within a country that we so faultily shared, and wondered if we'd see it shared more peacefully, more equally. Do the children of any era of slavery really believe they'll see its end? Were we to be South Africa's wandering, forty-year gen-

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Memorial**Cont'd from p.6**

eration, to glimpse but not enter a promised free land?

The Manchester Guardian reported that over fifty spent R4 automatic rifle shell casings were found at Thami's home.

Your people are still marching, Thami, and mine are still mowing them down. For my part, I'm still out of the way.

Interview**Cont'd from p. 1**

a larger number of graduating students who failed exams, what was particular to these 13 students who wrote the special supplemental exam was the fact that, that was the only exam they had failed or deferred. So, in effect they ended up one course short of being able to graduate. The informal policy which flows from a Faculty decision of 1977 is that where a student is held back from graduating because he/she is one course short, an attempt should be made to have the supplemental set before convocation. The situation differs of course where the graduating student has failed more than one exam. My sense of the data from the Student Affairs Office is that the total number of graduating students who failed courses this year was not greater than previous years. The difference arose in the greater percentage of graduating students this year who failed only one course, thus raising the number of special supplementals. I do feel, though, that the examinations were equivalent examinations to what would have been set for the regular supplemental exams. There was no quick slapdash "mickey mouse" effort put out so that the students could write. More-

over, from what I gather, the exam scripts written were all bona fide passes. The fact that the same students passed exams which they had failed a short time before could be attributable to factors such as not having the pressure of a multiple examination situation or, perhaps, even the student just having a better day.

Quid Novi: What do you feel is a better method?

Dean Macdonald: I don't believe that the situation prior to the Faculty decision of 1977, where if a student failed an exam he/she wrote the supp in August, adequately reflected the constraints on a graduating student. The special supplemental was introduced to alleviate some of those constraints. An alternative to the present system, which some other faculties use, is a promotion by year, that is if you have a passing average in the year then you pass the year, regardless of whether you might have failed in a particular course. Another alternative adopted by some law schools is the "gratis F system". If a graduating student receives a single "F" he can opt to have it on his transcript or take the supplemental in August. It is pertinent to note that the adoption of the University Marking Scheme here at McGill will likely have an effect on this situation. A graduating student who now receives a "marginal F" would receive a "D" in its stead and thus would be over the line. The best of all possible worlds, of course, would be if no one failed.

Quid Novi: Do you find it worrisome that students are still failing courses in their graduating year, and how do you feel this reflects on the pedagogical methods used here at McGill Law School?

Dean Macdonald: Yes, I do find it worrisome that students are failing in their graduating year. However, even in the best of all possible worlds, in a law school where everyone is brilliant and there is a strong "weeding out" process in first year, you are still going to have anywhere up to 5% of the graduating class failing one course. So, for example, if you combine the B.C.L. and LL.B. class you have 110 graduating students. The 7 who fail a course in their graduating year would do so for different reasons. For example, you can expect that about two students were sick and overestimated their ability to perform. Two took a course that was out of their field of interest and just didn't catch the thrust of the course. Another two overestimated their ability to cram the course and probably would have passed if they had spent longer preparing. No one, or at maximum one person, should ever fail a course in their graduating year for lack of talent or lack of aptitude. If you arrive in a circumstance where that is the case then something is wrong. There are at least three possible explanations. First, the student just didn't give a damn. Second, the student did not find the course intellectually challenging. It is just more of the same and after four years the student just gets fed up. Third, you might have had a course where the teaching was just not satisfactory. In a faculty where you have 32 full time professors and 17 or 20 sessional lecturers it's not implausible that in any given year one out of the 100 odd courses taught is not going to work.

I don't feel that this is a reflection on the pedagogical methods used here

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Interview

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at McGill in particular, but rather a reflection on pedagogical methods used by certain professors at McGill, which are common pedagogical methods in law schools generally. It is part of the test of good pedagogy for the professor to find an intellectually challenging and academically credible pedagogical style which works best with each of his classes. I don't believe you can teach the same course the same way year in and year out to different students. The personality of classes differ. Since the professor gives the course, I believe that the onus is on him to find a way to orient his pedagogical style to maximize the learning possibilities of that group of students.

Quid Novi: What you do perceive as a remedy for academic inertia in graduating students?

Dean Macdonald: I have lots of ideas to counter academic inertia. I am not sure, however, how feasible they all are. First, the focus of instruction in upper year courses could be changed away from simply more of the case/code method. Second, one could modify the evaluation process. Students could be asked to draft pleadings, write memos, etc., instead of 100% finals. Third, there could be greater opportunity for alternative kinds of courses, such as tutorials, essays, legal clinic, etc. I believe that inertia comes mainly from 4th year not differing significantly from 1st year. Think, for example, of a B.A. degree programme where you work up from introductory to seminar courses. All of that having been said we cannot lose sight of the fact that we do purport to call our-

selves a professional school, and a significant input into curricular decisions is based on preparing students to be competent to enter the profession. I don't see anything inconsistent however with having differing types of courses, such as upper year seminar courses, and at the same time guaranteeing the integrity of the degree.

Richard Janda

Quid Novi: Do you feel that the special supplemental examination process was meaningful in light of the fact that everyone passed a few days later?

Richard Janda: It would have been less meaningful, for me at any rate, if everyone had failed. I prefer passing. However, I suppose the point of your question is why go through the bother? To be frank, my number in the lottery had probably come up. I had skated close to the edge a number of times (i.e. working just from summaries or studying furiously in the last minute) and this time the professor saw through it. I hadn't had the time to attend many classes (and this is already an overstatement) so that I probably missed some "pet phrases" or "pet interpretations" of the prof. Beyond that, however, I do think part of the problem -- having accepted my large share of it -- is the method of teaching upper year courses and the expectations of the professors. Some very good students fail courses for the first time in their last semester. Professors who teach the same way in the upper year courses as they do in the parody version of first

year courses (i.e. case, principle, case, principle ad nauseum) cannot expect great attention spans and interest from their students. To take revenge for inadequate teaching by means of an exam seems pointless.

Quid Novi: Does this leave you with bad feelings about McGill Law School?

Richard Janda: No. Worse things happen in life. It's simply not such a big deal.

Quid Novi: What do you feel is a better method?

Richard Janda: It would be better if everyone were smart, everyone passed, all the professors taught brilliant courses and all graduates could stop worrying about jobs and getting ahead. I am convinced, however, that by the time fourth year rolls along, failures ought to be an extreme rarity, if only because it's a pretty strong admission against interest that the school either doesn't teach properly or hasn't properly weeded out people in the admissions process. I think the ideal practical situation would be to have the very few people who can't pass first year law school exams (usually because they don't like it) simply withdraw in that first year of their own volition. I have in mind a maximum of 4 or 5 people per year. The rest should pass -- perhaps not with stellar marks.

Quid Novi: Do you feel that the students themselves were to blame for the situation?

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Interview

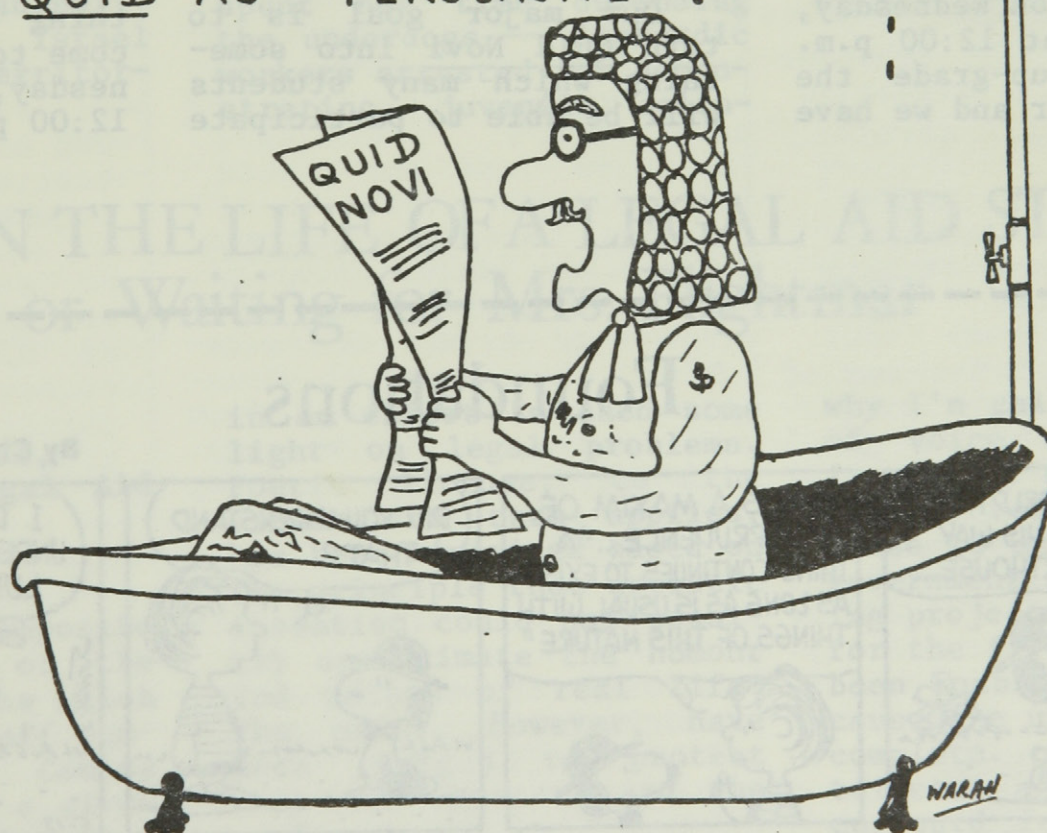
Cont'd from p. 8

Richard Janda: Students are to blame only because they think there is a solution to the "marking problem". There is no solution, at bottom, because marks boil down to job passports for many people. Even if everyone passed, anxiety about marks would still exist. The only advantage to the present situation (i.e. occasional extravagant or capricious failure rates in

a class) is that we blame the system rather than our fellow students for the fact that most of us are disappointed with our marks. In other words, we may be closer as a student body. But let's put this in perspective. People are getting jobs -- good jobs -- all over the place (across Canada, New York, Hong Kong, etc.). Law school itself is a pleasant picnic in comparison with anxiety over being kept on by a law firm. And our resources against an employer

are a lot more limited than is student agitation. The point is, McGill graduates do not seem to have been at all prejudiced by McGill exam grades. On the contrary, the range of opportunities is remarkable. And I, personally, haven't been prejudiced by my middling grades -- at least not yet. I don't mean this comment as a carte blanche to professors for erratic marking. I only mean to allay concerns, especially amongst first year students.

LORD DENNING ASTOUNDS U.K. BENCH!
CITES QUID AS "PERSUASIVE"!



THE QUID WANTS YOU!

Welcome to McGill Law School. Or welcome back to purgatory. Despite rumours to the contrary, 3644 Peel St. is still standing -- although they've locked the gates they haven't yet dug the moat. By the way, informed sources exclusive to Quid Novi have reason to believe that 1985-86 will be exciting, dynamic and challenging. Especially challenging.

On the subject of Quid Novi's resources, people who have an interest in involving themselves with the paper will have an opportunity to do so at the staff meeting on Wednesday, September 18 at 12:00 p.m. We want to up-grade the paper this year and we have

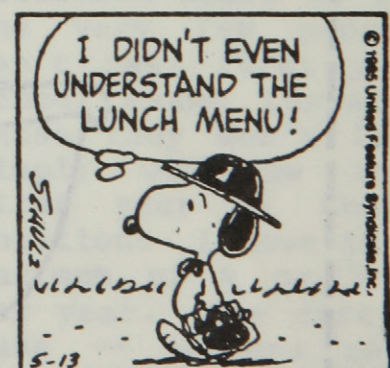
some specific goals in mind for which we need help. We are in need of more regular writers if we are going to plan features and coverage of a wider variety of events. We need french writers who can help make the paper more bilingual. We are also looking for photographers. We are in need of organizational help for projects like extending distribution to alumni and obtaining advertisements from law firms. And it goes without saying that we are always looking for new ideas and stories.

Our major goal is to turn Quid Novi into something which many students will be able to participate

in and want to participate in. This can be done at the level of student issues in the law school. But it can also be done at the level of our wider body of interests and ideas. Comments on legal questions, political analyses, reports on talks around the university and city, books, movie and music reviews, cartoons and general announcements have all appeared on these pages. We need people who can do more of this and maybe add to our repertoire. So if you want a chance to keep your writing skills alive and to use them in discussing something of interest to you, come to our meeting on Wednesday, September 18, at 12:00 p.m.

Foundations

Peanuts



By Charles M. Schultz

NOTICE FROM THE LSA TREASURER: All clubs that wish to receive funding from the LSA for the 1985-86 session, please submit three copies of your budget, including the amount you wish to receive from the LSA. Submissions are to be left in the treasurer's box in the LSA office by September 18th.-- Thank You --